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January 11, 1965

Mr. Lawrence Brown
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Philadelphia, Pennsylvania

Dear Larry:

When we meet and talk, we spend so much time on the facts that we really haven't talked about the book itself. Your reference to a detective story yesterday leaves me disquieted. Not that I don't believe this should be the very greatest detective story - it should; but not a Perry Mason, and not a different version of the Buchanan and Joesten books already printed.

I am not worried about the style of the book. I quite agree that it should be readable and not heavy.

But this is at least the crime of the century, and it is not befitting that the assassination of the President and the subsequent crimes (for this is my belief) should be treated either flippantly or as fiction.

What I have is more solid than anyone could ever have expected. It should not be weakened or even put into question by the manner in which it is handled.

The proposal I took to Ivan was that the book be "The Report on the Warren Report". It would conclude that the Commission was wrong and that its own evidence proved it to be wrong. We would restrict the book to the official material of the Commission, which would make the facts incontrovertible. And our conclusion would be that the job the country and the world expected of the Commission had not been done, we wanted it done (possibly by Congress), and this book was the proof.

We agreed that we would try and follow the report by, among other things, examining what they examined; not everything, of course, but enough to disprove the important conclusions.

I did not expect to get what I have gotten, clear evidence of criminal violations in which the Commission staff is involved, protection of the perjurious witnesses by the Commission, the destruction, distortion and suppression of basic evidence with the Commission's approval, or lack of disapproval, and participation.

To me this is the most important kind of a book and I believe the appeal of a solidly done book of this sort will be greater than any other kind. Both in terms of public responsibility and book sales, I am convinced this is true. Again, I do not think this means the book should be heavy or pedantic.

So much time has elapsed I do agree to your suggestion of a shorter first edition, with a solid appendix for subsequent editions, if this meets with Ivan's approval. Your figure of 250 pages is agreeable, with the appendix (to read like a book rather than an appendix, insofar as possible) keeping the whole thing, with index, etc., under the maximum length agreed upon.

But I cannot agree with your apparent dismissal of some of the most solid and incontrovertible and sensational things, such as the alleged autopsy report, which is a major part of the foundation of the Report and its conclusions and which involves the most serious deceptions and, I believe, criminal errors.

I want to get this letter off right away. I thought about our yesterday's meeting much last night and this morning. But in haste let me list a minimum of the things that must be solidly treated. We may, after we have both thought more about it, have other ideas. Perhaps after Ivan and John have thought about it, they will also have ideas. I list these as they occur to me, without regard to where they appear in the book, or how you choose to organize it.

The autopsy report and the medical evidence from Dallas. This involves deliberate suppression of vital, irrefutable evidence, unjustifiable destruction of at least notes, "perjury with a paint brush", substantive changes in the draft of the autopsy, testimony that the Dallas doctors were pressured or persuaded to alter their conclusions by Washington (and there is sworn testimony by one of the doctors on this, if you haven't gotten to that point in my notes yet), and a clear misrepresentation of the location of the wound on the President's back that cannot be regarded as accidental. The autopsy report alone destroys the entire Report for the location of this wound six inches down on the President's back in itself means at least one additional shot over the Commission's three. It also disproves the claim that all shots came from the sixth floor window.

The "found" bullet, which could not have been "found" and could not have inflicted the injuries to both the President and the Governor and remained "unmutilated" is also in addition to the Commission's three. The strange lack of testing to show residues on this bullet and the two fragments found in the front of the car. The assumption of their manufacture rather than use of available analysis to trace it and the fragments. And the assumption of the manufacture of the empty shells and the lack of identification of their manufacture. If you haven't found it yet, all three experts at the Bethesda autopsy agreed it was impossible for this bullet to have inflicted the injuries attributed to it. I quoted them at length.

The Commission's methods, and how they could pull this off. The tremendous devotion to trivia with the important leads neglected, resulting in such a massive tome that neither the busy Members, all of whom had full-time commitments outside their service on the Commission, nor the press had time to assess the Report critically. Having first swamped everybody with thoroughly documented unessentials that seemed impressive in the absence of analysis, the Commission then arranged for little or no attention to its 26 volumes which were anti-climactic to most people and the press, to begin with. It accomplished this by arranging a leak of the schmalzy stuff and effectively destroyed the five-day period in which the press could examine these documents, for the story was dead after the first leak. Result, about 700 sets sold to date, and even the appropriate Committees of Congress have to buy them. There was no real investigation. The Commission sought only to validate the FBI report. There was no real interrogation of witnesses. This was so clear that it is, in itself, shocking. These were top lawyers, and their performance would have earned failing grades for law-school students. The obvious questions that were not asked and how basic they were to the collection of knowledge and understanding. These equally obvious things that were suppressed, such as any photograph of the area of the front of the building immediately following the assassination. The unnecessarily poor quality of the photographic evidence, used, etc.

The witnesses and how they were treated:

Brennan as "most probably" the source of the broadcast description. How the broadcast does not fit his description, how he could not have seen what he said he saw, the impossibility of his account of the position of the rifleman, his failure to identify Oswald in the lineup and the phony excuse - even the lack of a police record of his attending a lineup.

Markham, the source of the broadcast description of the Tippit killer and her conflicting descriptions. Her description was not that of Oswald. Her persistent and repeated perjury, after warnings, after another chance to retract her perjury, after the nature of the proof was described to her, after the proof was shown to her, and the Commission's assistant counsel telling her not to worry about getting into trouble.

Whaley and Bledsoe on how the clothing got identified, by having it shown by the police. Whaley also on the identification of the wrong man and his subsequent revelation that the statement was drafted for him and he was told to sign it before he attended the lineup. Bledsoe on the abuse of an old woman who had had a stroke and pleaded her fatigue, who was pushed and pressed through a lengthy, uninterrupted interrogation despite her repeated declarations that she didn't know, hadn't noticed or cared, hadn't been interested, didn't see, etc.

Benavides, the closest person to the Tippit killing (fifteen feet) and how the police avoided the only good and clear identification of the killer, with identifying characteristics, and didn't even have him at a lineup.

These are only examples. Others are the witnesses on the source of the shots, including those ignored in determining the location of the Presidential car when the first bullet was fired.

Pseudo-science, the elaborate reconstruction the purpose of which was to evade what the Commission had already decided to conclude. How it ignored the basics of photographic intelligence and disregarded credible testimony and evidence - the pictures not properly used (i.e., Zapruder and Willis photographing each other after the President was shot, with the President in both pictures). The use of expert riflemen who proved Oswald could not have fired even the three shots. The misrepresentation of Oswald's ability with a rifle (described by the Marine Corps officially as a "poor shot"). Ignoring the alteration and destruction of essential identification points in the pictures (pruning of shrubbery, apparent removal of a tree, moving and/or total removal of signs). Mislocating the car in the reconstruction. The hairs.

The bag. It had but three witnesses for the morning of the assassination. Two, the only ones to see Oswald with a bag, Frazier and Randle, swore and gave persuasive and incontrovertible reasons, which were never disputed by the Commission, for swearing the bag Oswald had could not have contained the rifle, even disassembled. The third was emphatic in saying Oswald didn't carry any bag into the building and he was the only one to see Oswald enter the building. There is also a fourth, who was almost always at the packaging bench, who said no one got any paper or tape to take away. In addition, Frazier, who always transported Oswald to Irving, testified that Oswald never took any package with him. No picture of the bag where it was found, even though many pictures were taken by ID of that small area. So the only witnesses the Commission had on the bag testified to exactly the opposite of what the Commission decided.

The police. No investigation - grabbed the first available straw. Their shortcomings are so fundamental they cannot be considered mere deficiencies in the absence of proof, and there is no indication the Commission ever sought or considered such proof. The story of having kept no record of any kind of the interrogation of Oswald simply isn't credible and is in contradiction to everything known about the police. All the complaints about the police, including from bar associations, are usually in the opposite direction. The emptiness of Fritz's excuses: He owned no tape recorder (he could have borrowed or rented one, and it is known the police did have at least two recording devices); his office was too small (it wasn't, and he had an abundance of other space available for the interrogations. A stenographer might take up another chair, which was possible without crowding the room for sometimes the FBI agents weren't in the room during interrogations, and Fritz's men who were there didn't participate in the interrogations; and if Fritz didn't want a tape recorder on his desk, it could have been elsewhere, for the mike takes no space). Besides, he did keep notes, despite the Commission's statement he didn't, and he had so informed the Commission. Where are these notes?) Their own destruction of evidence, such as climbing all over the boxes behind which the rifle was found, not only destroying any fingerprints, but not even taking any before they destroyed

the possibility, Studebaker climbing on the boxes and taking pictures of his own leg while he sat on the boxes. Fritz unnecessarily handling the weapons before all fingerprint possibilities were exhausted. Why did he have to eject the live bullet from the gun outside the lab, or even handle the weapon at all? Their moving of the boxes allegedly used as a gun rest and replacing them in an obviously incorrect position and then photographing their error! Their search for the source of the bullets: Why is there nothing about this? The presumed manufacture of the rifle bullets is all we have on them. The pistol bullets don't add up. The unresolved conflict in the number of bullets that hit Tippit (the Commission says four; Captain King, administrative assistant to Chief Curry, said three). What happened to the other suspects revealed in the log, and why are there three versions of the log, with the first one not containing essential information, some of which is revealed in the others but not used? Why was the first version almost completely without identification of those broadcasting? The phony lineups in which Oswald's identification was almost automatic: He was the only one bruised, the only one not neatly dressed, the only one not well dressed, always in the same position, dressed in a different fashion from the others, and shown to people almost all of whom had previously seen his picture. Even his protest is well recorded in the Commission's books, as were his demands for a lawyer, which the Commission and the Police blandly pretend he didn't make. Why the police denied him his legal rights (not only the denial of basic rights, of any American, especially under such unusual circumstances) but in a context of affording him an opportunity of escaping trial all together and, failing in this, affording him an opportunity to prevent the introduction into evidence of evidence improperly obtained. The unnecessary failure to get a search warrant before going to Irving, a different jurisdiction; the wait for the sheriff's men, who had jurisdiction; the ready availability of a search warrant; Fritz's long delay in sending anyone out, about two hours after he learned where Oswald lived; and then not using the men in whose jurisdiction they were to make the search. Allowing her to, or pretending that Ruth Paine could, waive Oswald's rights for him. The Kelley report - how and why he drew Oswald out of the hearing of the others in Captain Fritz's office and Oswald's telling him he would answer any questions once he had a lawyer, that he wouldn't talk about anything that the police could use to connect him with the crimes although he had freely talked about everything else, until after he had a lawyer. The visit of the delegation from the American Civil Liberties Union, who Oswald had already said he would accept as counsel, and how the police lied to them about Oswald's desires, and this the day before the police claim any discussion with Oswald about his desires for legal representation. This is not only the denial of Oswald's rights and not only jeopardized the chances of everyconvicting or even trying him, but in the context of Oswald's clear and repeated position, means an attempt to keep him from telling anything he knew about the crimes.

The False Oswald. The deliberate attempt to create a record of his being where he wasn't and doing what he didn't. Mrs. Odio's story, which they couldn't shake, and what went with it, including the New Orleans stuff, the lawyer in New Orleans who was asked by a man connected with Cuban refugee groups to represent Oswald when arrested.

Oswald's connections with the Cuban groups, in the context of his 24-hour passport, which should be at least briefly analyzed to destroy the Commission's presumption of normality, including the case of Pena, who applied the same day and didn't get his at the same time. The story of Oswald as an agent of the Cuban refugees who, having established his cover in New Orleans, went to Mexico for his visa and failed to get it. Thereafter, he had no value to these people, with the suggestion that he was a readily available expendable. The False Oswald saying Kennedy should be shot and if the Cubans had any guts they'd do it.

The Oswalds' other relations with the State Department. Oswald as a possible agent as revealed, not by his mother, but by his letter to Connally saying everything he was doing and had done was known to the American Embassy in Moscow. The violation of the law involved in bringing the Oswalds here, the emergency provision of the routing through Brussels, the pressure on the Immigration and Naturalization Service. Marina never eligible for entry into the United States, even as a visitor. She was from the first and still is subject to automatic and immediate deportation - the fraud in obtaining her entry. Why she hasn't been deported. Why the FBI twice during the month of the assassination visited her and not Lee, making no effort to see him. His accusation to Hosty's face that Hosty was intimidating Marina, and Hosty's immediate and permanent disappearance from the interrogations. Her months of "protective custody", alone, almost broke, no source of income, in a strange land and not welcome in her own even should she have wanted to return, taken with the possibility of deportation, destroy her as a witness. Her initial statement the FBI was not going to make an agent of her, her changes in testimony and serious misstatements, all directed the way the Commission desired - "that fateful rifle of Lee Oswald"; her husband ate no breakfast (he did, at home and elsewhere), etc.

The Tippit Killing. The witnesses, etc. The Commission's own reconstruction proves Oswald couldn't have arrived at the scene until five minutes after the killing. The strange arrest, in which two police officers each swore he had taken the same gun away. The failure to immediately identify the pistol - no evidence the serial number was recorded by police at theater or elsewhere. The whole bit at the theater - Oswald with his hands raised, the police officer grabbing at his belt - why? Oswald's failure to use his weapon with all the opportunities he had. The cops vs. the cop-killer and the other things we have discussed, such as the deliberate dropping of empty shells, the lack of any ballistics evidence, etc. No autopsy or even medical report. And, of course, Mrs. Roberts' testimony about the signalling police car while Oswald was changing his clothes and the Commission's false statement that no police car was assigned to the area when it proved elsewhere that one was - Tippit's.

The ignored and suppressed evidence, the many witnesses to the source of the first shot, - almost the entire staff of the sheriff's office went to the area of the railroad and the arcade, with the trees around it; Chief Curry's first radio report before he passed underneath the overpass; the people who saw the puff of smoke from

the first shot; the failure ever to order a systematic search of the building, especially after Brennan and others immediately reported a rifle at that sixth floor window, and the failure of the police to zero in there; the almost accident with the Presidential car and its effect on the car's location, together with the suppressed parts of the Zapruder film not used, showing this or disproving it. The other rifles known to have been in the building immediately before the assassination, suppressed in the Report and mentioned in only an off-hand way in the hearings, even though Oswald reported it in his first interrogation session and it is in the FBI report of the first session, especially because one of them was exactly the same make, Mauser, as that of the alleged assassination weapon was reported to have been; Oswald's character as reported to the Commission by his employers and supervisors; he was not, as the Commission tried to suggest, a nut with a grudge against society; his only psychiatric examination showed him to be not dangerous to others; the failure of the Commission to take testimony from psychiatrists, and even Dr. Hartog's public admission that Oswald's behavior was not that of an assassin.

The buried ghost. This book is the reason the Commission so hastily locked its records up for 75 years, even though the Report itself said the case of ~~the~~ false Oswald was still under last-minute investigation, upon which it hasn't reported. The national desire to find something that people would persuade themselves to believe, at least in part. The one reason that cannot be true is that the Commission buried its records, as the press reported, in the interest of Oswald's children, for there is nothing that can be said about their father that could damage his name. ~~None~~ Only the opposite is true.

As I wrote this, Larry, I came to realize I was outlining, not the book but its contents. This is what Ivan, John and I had agreed to and I'm sure you did also. I still think it is the book I want and should be done.

We cannot possibly cover everything. There are many things that will yet develop. But this we already have, and you already have the notes to them, over 1100 pages so far, complete with quotes and page references. The more I think about it, the more convinced I become that your going into the ballistics things and the trigonometric computations can, at best, only gild the lily and, at worst, delay the appearance of the book, with consequent hurt to us all, including financial loss. I believe what I have outlined above and what I have given you is so tight and hard that it needs no additional evidence, and what you have been pursuing is peripheral.

Regardless of what one may think of Lane, he is a competent lawyer and has a reputable publisher who may be depended upon to do everything he can to sell Lane's book. Every one he sells may be one less we sell. There are also the foreign rights, which should be valuable, and he may have already beat us to the best of those. As we both agreed, we don't want another case of a straw man, Lane, going into the results of his own investigation and giving the Commission and its spokesmen another opportunity of further undermining public confidence in any analysis of its Report.

As you know, my chief reason for wanting a collaborator was to get the book out as fast as possible. This is why I was willing to make what Ivan called a more than generous offer, and then add to that. In return, I do want the book we all agreed upon and in the time agreed upon. It is now almost a month after we reached these agreements and, frankly, I'm worrying.

If there is any question after you get this, please let me know right away and we can either get together immediately or, what might be better, get together with Ivan and John, also immediately, for every passing day is an irreplaceable loss.

Sincerely,



Harold Weisberg